

Date: May 3rd, 2012

Subject: **City of Hampton- Indian River Creek Drainage Maintenance Project Proposal**

Dear Owner of Property abutting Indian River Creek,

The city of Hampton is re-contacting area property owners to determine their level of interest in working together to have a large quantity of the silt removed from a portion of the Indian River Creek, in order to improve storm drainage and lessen the potential for flooding in the area.

You may have been contacted in 2010 about this proposed project and/or you may have attended a city sponsored meeting about the project, held in March, 2010 at Armstrong Elementary School. At that time, in order for the city to move forward with the project, property owners were asked to convey a permanent drainage easement across the portion of their properties where the silt was to be removed from the creek. A majority of property owners indicated they supported the project, but less than half were willing to convey a permanent easement across their property, and so the project was put on hold.

In order to move forward with this project, rather than requiring a permanent drainage easement, the city of Hampton is now requesting that the abutting property owners agree to convey a temporary "right of entry" across the portion of their property that is considered mud flats, out in the Indian River Creek waterway. A right of entry would only allow the City to enter onto a designated portion of private property (the mud flat in the creek), for a specific purpose (to remove accumulated silt within a portion of the creek), for a specified period of time (until the project was completed). No permanent property rights would be conveyed with this document and the property owner would not be asked to bear any expense in connection with the preparation, execution or recordation of this document. A sample right of entry agreement is enclosed with this letter. Also enclosed with this letter is some information about the project, including a project map, which may answer some of your questions about what the city is proposing.

In addition, the city staff will be hosting a community meeting to present information about the proposed project and to respond to other questions you may have about the proposal. That meeting will be held on Thursday evening, May 17th, 2012, at City Hall on the 8th floor in city council chambers. If you plan on attending the meeting and if you already have specific questions about the project, it would be especially helpful if you would call or email one of the contacts below and relay your questions to them, by May 13th, so that we can be better prepared to answer those questions at the community meeting.

Also, if you are able to attend the meeting and are agreeable to granting the city the right of entry, then the city will provide you with the forms for your signature at the meeting and a notary will be on hand to witness your signature(s), so that the documents can later be recorded. If you are not prepared to sign the forms at the meeting, you may take them home to sign/have them notarized at a later date. If you cannot attend the community meeting, the right of entry forms can be mailed out to you for your signature and for return to the Department of Public Works. **The city would like to have all of the completed forms in hand by June 1st, 2012.**

To make this project happen, the city needs all of the abutting property owners' participation and cooperation. If the city is not successful in receiving all of the property owner's executed right of entry forms, then the project will not be implemented and the funding will be used for other drainage maintenance projects in the city.

Thank you for your attention to this proposal, and if you have questions about the project, feel free to contact Mr. Weston Young, PE, Project Manager at 727-6754, (or wyoung@hampton.gov) and/or Mr. Fred Whitley, PE project design consultant, at 383-6206 (or fred.whitley@urs.com).

Also, you may view all of the attachments to this letter and other information about the proposed project on the city's website- <http://hampton.gov/publicworks>

Sincerely,

Lynn Allsbrook, PE

City Engineer

Attachments: Sample Right of Entry Agreement

Project Questions and Answers/Project Map